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[Signature]
Attorney for Applicants

PATENT
Docket No. 3201.2.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Joseph V. Simmons et al.)
Serial No.: 09/976,187)
Filing Date: October 12, 2001) Art Unit:
For: HEATING, VENTILATING, AND AIR-) 2123
CONDITIONING DESIGN APPARATUS)
AND METHOD)

PETITION FOR AN UNINTENTIONALLY
DELAYED BENEFIT CLAIM

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Sir:

Applicants petition that the above identified nonprovisional patent application be given the benefit of the filing date of U.S. Provisional Application Serial No. 60/240,197 filed October 12, 2000 and entitled HEATING, VENTILATING, AND AIR-CONDITIONING DESIGN APPARATUS AND METHOD.

It should be noted that the Filing Receipt received by Applicants in connection with U.S.

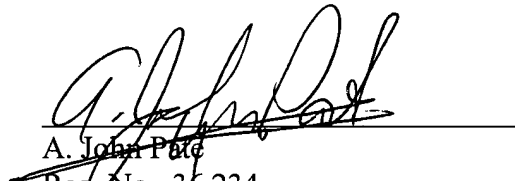
Provisional Application Serial No. 60/240,197 states that the application was filed October 13, 2000.

That filing date is incorrect. Applicants' records clearly indicate that U.S. Provisional Application 60/240,197 was filed October 12, 2000. (See attached copy of Express Mailing Receipt date stamped for October 12, 2000.) However, regardless of whether the filing date is October 12, 2000 or October 13, 2000, the above-identified nonprovisional application was filed within the pendency of U.S. Provisional Application Serial No. 60/240,197, upon which Applicants now petition for an unintentionally delayed benefit claim.

In accordance with 37 C.F.R. § 1.78(a)(6), this petition is accompanied by a Credit Card Payment Form (PTO 2038) in the amount of \$1300.00 in accordance with 37 C.F.R § 1.17(t). Furthermore, Applicants state that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(5) and the date the claim was filed was unintentional.

DATED this 19th day of February, 2003.

Respectfully submitted,


A. John Pate
Reg. No. 36,234
Attorney for Applicants

Date: February 19, 2003

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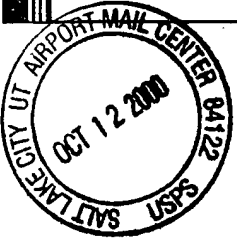
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